

**UNITED STATES DEPARTMENT OF COMMERCE****Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
087883,685	06/27/97	LANGHANS	R 59-118-3

QW21/0129

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EXAMINER

GOODMAN, L

ART UNIT	PAPER NUMBER
3724	

DATE MAILED: 01/29/01 *34*

Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Notification of Non-Compliance With 37 CFR 1.192(c)	Application No.	Applicant(s)
	08/883,685	LANGHANS, RENE
	Examiner Charles Goodman	Art Unit 3724

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

The Appeal Brief filed on 08 January 2001 is defective for failure to comply with one or more provisions of 37 CFR 1.192(c). See MPEP § 1206.

To avoid dismissal of the appeal, applicant must file IN TRIPPLICATE a complete new brief in compliance with 37 CFR 1.192 (c) within the longest of any of the following three TIME PERIODS: (1)ONE MONTH or THIRTY DAYS from the mailing date of this Notification, whichever is longer; (2) TWO MONTHS from the date of the notice of appeal; or (3) within the period for reply to the action from which this appeal was taken. EXTENTIONS OF THESE TIME PERIODS MAY BE GRANTED UNDER 37 CFR 1.136.

1. The brief does not contain the items required under 37 CFR 1.192(c), or the items are not under the proper heading or in the proper order.
2. The brief does not contain a statement of the status of all claims, pending or cancelled, or does not identify the appealed claims (37 CFR 1.192(c)(3)).
3. At least one amendment has been filed subsequent to the final rejection, and the brief does not contain a statement of the status of each such amendment (37 CFR 1.192(c)(4)).
4. The brief does not contain a concise explanation of the claimed invention, referring to the specification by page and line number and to the drawing, if any, by reference characters (37 CFR 1.192(c)(5)).
5. The brief does not contain a concise statement of the issues presented for review (37 CFR 1.192(c)(6)).
6. A single ground of rejection has been applied to two or more claims in this application, and
 - (a) the brief omits the statement required by 37 CFR 1.192(c)(7) that one or more claims do not stand or fall together, yet presents arguments in support thereof in the argument section of the brief.
 - (b) the brief includes the statement required by 37 CFR 1.192(c) (7) that one or more claims do not stand or fall together, yet does not present arguments in support thereof in the argument section of the brief.
7. The brief does not present an argument under a separate heading for each issue on appeal (37 CFR 1.192(c)(8)).
8. The brief does not contain a correct copy of the appealed claims as an appendix thereto (37 CFR 1.192(c)(9)).
9. Other (including any explanation in support of the above items):

#4 - The Summary of the Invention lacks specific reference to the specification by page and line number nor does the Summary include specific reference to the pertinent Figures.

#8 - The brief lacks the correct copy of the claims under appeal since while two sets of claims have been included in the brief in Appendices A and B (taking into consideration the claims resulting from the After Final Amendment which the Examiner has not entered), only one correct copy of the claims should be presented for consideration under appeal. Otherwise, this creates confusion as to which claims are supposed to be appealed.

#9 - Appellant is advised that due to this Notification and the Advisory Action of Paper No. 33, a complete new brief must be filed in response to these communication from the Examiner.


 Charles Goodman
 Examiner
 Art Unit: 3724